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ABSTRACT

This monograph presents a succinct overview of the legal parameters regarding nonretention and dismissal for cause of employees of higher education institutions. The monograph is written in everyday language for the lay reader and presents a concise review of case law on the subject. An introductory chapter discusses judicial review, the employment relationship, tenure status, term contracts, at-will status, academic freedom, public/private distinctions, and overbreadth or vagueness in adequate cause standards. A chapter on adequate cause for dismissal addresses incompetency, neglect of duty, insubordination, and immoral or unethical conduct. Legal challenges to adequate cause are also discussed, covering basic admonitions; denial of due process; denial of free speech, association, or academic freedom; discrimination; and breach of contract. An appendix lists monographs and periodicals providing legal information in secondary and higher education. (Individual chapters contain references.) (JDD)

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